

Notice of Exemption

To:

Office of Planning and Research
P.O. Box 3044, Room 212
Sacramento, CA 95812-3044

From:

Department of Fish and Wildlife
Northern Region
619 Second Street
Eureka, CA 95001

Project Title: Rhys Vineyards - Bypass Pipe

Project Location: The project is located within the Ten Mile River watershed, approximately 7 miles southwest of the town of Laytonville, County of Mendocino, State of California, specifically, Section 8, T20N, R15W, Mt. Diablo Base and Meridian; in the Sherwood Peak U.S. Geological Survey 7.5-minute quadrangle.

Project Description: The California Department of Fish and Wildlife has executed a streambed alteration agreement (Notification No. EPIMS-MEN-15069-R1) pursuant to Fish and Game Code section 1602 (SAA). The SAA authorizes Rhys Vineyards, the permittee, to install a pipe on its property to bypass ephemeral stream flow around a small reservoir and back into the stream below the reservoir.

Public Agency Approving Project: California Department of Fish and Wildlife

Person or Public Agency Carrying Out Project: Rhys Vineyards

Exempt Status:

Categorical Exemption. California Code of Regulations, title 14, sections 15303, 15304

Reasons why project is exempt: Rhys Vineyards constructed a reservoir on an ephemeral stream on its Clarke Ranch property in Laytonville, which prevents water from continuing downstream past the pond. Under the SAA, Rhys Vineyards will install a bypass pipe to redirect flow around the pond downstream in accordance with a settlement agreement between Rhys Vineyards and the North Coast Regional Water Board (WR 2019-0053-EXEC).

In approving the SAA, the Department relied on the Class 3 and 4 categorical exemptions in the CEQA Guidelines. (Cal. Code Regs., tit. 14, §§ 15303, 15304.) The purpose of the project is to allow water to flow into the reach of the stream below the pond as it did before the pond was constructed. The stream does not support habitat for aquatic species. To install the pipe, Rhys Vineyards will excavate a trench and bury the pipe. The bypass pipe is 12 inches in diameter and 200 feet long. As a result, the size of the trench will be small and the ground disturbance will be minor with no removal of healthy, mature, scenic trees. Also, the work will not have any adverse effect on endangered, rare, or threatened species or their habitat. Finally, the Department has determined that the work the SAA authorizes will not result in impacts that are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.

Contact Person: Angela Liebenberg, Senior Environmental Scientist Supervisor, (707) 741-1265

DocuSigned by:
Curt Babcock
Signature: _____ Title: Environmental Program Manager
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Date received for filing at OPR: _____